

Remarks

In the outstanding Office Action, claim 3 was said to be allowable if rewritten in independent form. Claim 1 has been amended to incorporate the provisions of claims 2 and 3, and hence should be allowable together with all of the claims that directly or indirectly depend from claim 1, namely, claims 4 – 11. Claims 12 and 13 have been allowed. Claim 10 has been amended to refer to an end portion rather than a second portion, and the amendments to the claims should avoid the issues raised under Section 112, second paragraph.

This amendment adds new claims 14 – 24, which we submit are also allowable. These claims define details of how the ends are broken along the frangible portion to form respective sides of the soft furnishing when it has been assembled into a completed item. None of the prior art discloses a soft furnishing or pelmet assembly that has the ability to be transported with relative ease as a flat-pack package and is able to be assembled into a final product rapidly and easily without any requirement for specialized skills or tools.

For example, in *Smiley*, the front section (60), is provided as a discrete component separate from the ends (80) which must then be attached to the front section to form the complete cornice. It will be appreciated that in *Smiley*, the pre-weakened portions are present only to enable adjustment of the length of the front section and ends. This is a significant departure from that which is claimed in new claim 14, for example, in which the or each end portion is initially provided with the intermediate portion as a single piece. Only when it is desired to assemble the assembly of claim 14 are the end portions moved to abut angularly an end of the intermediate portion, thereby breaking the end portion(s) from the intermediate portion. This is not anticipated or taught by *Smiley*,

where the front and ends are clearly provided as separate components which must be assembled.

Further, in *Smiley*, in order for the end sections to be appropriately attached to the front section, it is necessary to first place the ends in alignment with the front section and connect them with a separate corner piece (10). The partially assembled cornice must then have one or more support strips attached thereto so as to stabilize the front section in its assembled form. This alignment and subsequent connection is not necessary in the invention of claims 14 – 24, as the end portions are initially connected to the intermediate portion and provided as a single piece.

Further, assembly of the invention as defined in various of the claims 14 to 24 has further preferable features not disclosed in the prior art. For example, the invention does not require separate connectors for fixed placement of the end portions adjacent ends of an intermediate portion when assembled. Rather, the invention as claimed, for example, in claim 16 has fastening members provided as a part of the intermediate and end portions, which are arranged to engage with the support member once the support member is received by the channel in the intermediate and end portions. Thus, the support member advantageously has a dual purpose of providing for fixed placement of the end portions relative to the intermediate portion as well as providing structural support to the finished product. This allows for an ease of assembly that could not be achieved by the *Smiley* apparatus, as many different components must be put together to obtain the final assembled product of *Smiley*.

It may also be noted that in *Smiley* and *Santoro*, the cornice assembly described requires that the front and/or end portions be covered with a fabric or other decorative material as part of the assembly process by the end user. In contrast, the assembly of

various of claims 14 – 24 may permit each section to be appropriately upholstered or decorated in the manufacturing process, thereby saving the end user the trouble of having to undertake this step. This is primarily achieved by the fact that the ends are formed with the intermediate portion as a single piece when the assembly is in the first, flat position, as defined, for example, in claim 14.

Particularly in reference to *Smiley*, it will be noted that upholstering of the cornice after assembly of the structural components may only be achieved by the use of fabric clips (40) to secure the fabric thereon. It will be appreciated that this is a significant departure from that of the invention claimed in various new claims 14 - 24, where the fabric may be fixedly attached to the intermediate and end portions when manufactured and is therefore not of any concern to the end user who assembles the product into a finished furnishing.

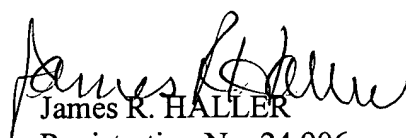
Referring to the Examiner's objection to original claim 10, we respectfully disagree that *Smiley* anticipates the particular feature of having the support member in two portions, whereby one of these portions is removed and second end portions are placed about the remaining support portion such that the second end portions are in parallel with the intermediate portion. This arrangement, as originally defined in claim 10, may best be seen in Figures 12 to 14 of the present application. *Smiley* does not show this.

There are currently 3 independent claims and 22 total claims in the instant application. A check for \$40 is enclosed for the presentation of 2 additional dependent claims. If any further fees are due in connection with the filing of this Amendment, they may be charged to our Deposit Account 06-1910.

We submit that all of the matters raised in the Office Action mailed April 6, 2005 have been appropriately addressed. Reconsideration is respectfully requested, and a notice of allowance of claims 1 and 4 – 24 is courteously solicited.

A phone call to the undersigned would be appreciated if any further issues arise that could be settled by an Examiner's amendment.

Respectfully submitted,

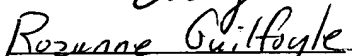

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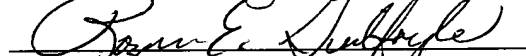
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